

REMARKS

Claims 11-15 and 20-38 were rejected under section 102 as being anticipated by Woo in view of Camras. As amended, claim 11 calls for a transmission device that transmits a video transmission together with the indication. Claim 28 calls for transmitting a video transmission together with a coded command to begin recording of the video transmission and claim 30 calls for inserting within a video transmission a command to begin recording the video transmission. As explained in the prior response, Woo does not teach the aforementioned limitations. The Examiner concedes as much. Paper No. 9, page 5. As such, Woo does not anticipate claims 11-15 and 20-38.

However, the Examiner states that transmitting a start command signal together with a video transmission is well known in the art (see Camras) and it would have been obvious to modify Woo with Camras by using an inserting means as taught by Camras for transmission the recording command along with the video transmission. *Id.* It is respectfully submitted that by making the suggested modification, the principle under which Woo operates would be destroyed. When the proposed modification of the prior art changes the principle of operation of the prior art reference, then the teachings are not sufficient to render the claims *prima facie* obvious. M.P.E.P. § 2143.02 citing *In re Ratti*, 123 USPQ 349 (CCPA 1959).

Pursuant to Woo, television transmitters 110 transmit different television broadcasts on different channels. The broadcasts are simultaneously received by the control station 120 and recording devices 190. See Figure 1. A plurality of human monitors at the control station 120 watch the television programs to screen for undesirable content such as commercials. When a commercial is detected, a switch may be actuated to indicate that the recording of a program should be stopped. When the commercial break is over, the operator actuates a switch to indicate that recording should begin again. Thus, the control station 120 simply sends a signal, absent the television broadcast, to the units 180. See Woo at column 3, lines 19-27; 34-37; Figure 1. To do what the Examiner suggests would alter the principle under which Woo operates i.e. the transmission of the broadcast to both the control station 120 and the recording units 190 at the

same time. More specifically, the proposed modification would alter providing a service separate and apart from the broadcast program. As such, a *prima facie* case of obviousness has not been established. It is respectfully requested that the section 103 rejection be reconsidered and withdrawn.

Claim 32 calls for monitoring an ongoing video transmission for a characteristic indicative of a replay, and upon detecting the characteristic, automatically recording the video transmission. Claim 36 calls for a second device coupled to a first device to detect a replay, and a video recorder that automatically records the video signal in response to the detection of the replay. The Examiner concludes that the human operator in Woo would operate the system to generate a start recording command to control a recorder to record a replay. It is respectfully submitted that there is no support for this conclusion. Woo is directed toward recording of a program in its entirety without respect to replays. There is no suggestion that the operator specifically monitors a program for replays and upon detection of the replay automatically records the video transmission. Further, with respect to claim 36, there is no teaching in Woo of a device to detect a replay. Thus, reconsideration of the rejections is respectfully requested.

Claims 11, 15 and 28-38 were rejected under section 102 with respect to Yamamura. Claims 12-14 were rejected under section 102 as being anticipated by Yamamura in view of official notice. Amended claim 11 calls for a transmission device that transmits a video transmission together with an indication, the video transmission and the indication to be transmitted for public distribution. Further, amended claim 28 calls for a video transmission and said coded command for widespread transmission and amended claim 30 calls for transmitting a video transmission to more than one receiver. Yamamura does not teach a system for widespread transmission, transmission for public distribution, or transmission to more than one receiver.

Yamamura deals with transmitting footage recorded in the field for news coverage. One of the objects of Yamamura is to dispense with the time-consuming and tedious exchange of confirming information between the sender and receiver of information signals, which occurs between a field unit and a broadcasting station. Column 1, lines 13-63. Thus, Yamamura

teaches transmission between one transmitter and one receiver. For at least this reason, Yamamura does not anticipate claims 11, 28 or 30 or the claims depending therefrom.

Claim 32 calls for monitoring an ongoing video transmission of a characteristic indicative of a replay, and upon detecting the characteristic, automatically recording the video transmission. Claim 36 calls for a second device coupled to a first device to detect a replay, and a video recorder that automatically records the video signal in response to the detection of the replay. Yamamura has no teachings regarding replays.

With respect to claim 36, Yamamura employs humans to view footage from the field. Thus, there is no device to detect a replay. Further, the Examiner indicates that the transmission of video that has been reproduced from a recording medium is a replay. Even so, there is no disclosure in Yamamura of monitoring the video transmission for a characteristic indicative of a replay or detecting a replay and automatically recording the replay upon detection. For example, there is no teaching in Yamamura of an indicator that the footage has been prerecorded. Likewise, there is no teaching in Yamamura that merely because footage has been prerecorded it will be automatically rerecorded. Thus, Yamamura does not teach monitoring for a characteristic indicative of a replay or detection of a replay and automatically recording in response to or upon the detection of a replay. As such, the rejection of claims 11-15 and 28-38 should be withdrawn.

Claims 28-38 were rejected under section 102 as being anticipated by Kim. Claim 28 calls for transmitting a video transmission together with a coded command to begin recording of the video transmission. Further, claim 30 calls for inserting within a video transmission a command to begin recording the video transmission. Kim does not teach a command together with a video transmission or within a video transmission to begin recording the video transmission.

Generally, Kim teaches recording when the title of a program, which is input by a user matches the title of a program that is received in the broadcast schedule data. Column 5, lines 15-18; 55-67 through column 6, lines 1-4; 57-67. When the titles match, the information is stored and later compared again. If upon the second comparison the data is coincident, recording

takes place. See, column 6, lines 57-67 through column 7, lines 1-11. The control signal to record comes from the comparator 90 and not the video transmission. *Id.* See also, Figure 1. Thus, Kim does not teach a command transmitted with a video transmission to begin recording or a command to begin recording a video transmission inserted within a video transmission. Reconsideration of the rejections is respectfully requested.

Claim 32 calls for monitoring an ongoing video transmission for a characteristic indicative of a replay, and upon detecting the characteristic, automatically recording the video transmission. Claim 36 calls for a second device coupled to a first device to detect a replay, and a video recorder that automatically records the video signal in response to the detection of the replay. Kim simply monitors for information regarding the title of a program. There is no monitoring for or detection of a replay. Nevertheless, there is no teaching of automatically recording a video transmission or video signal upon detection or in response to the detection of the replay. As such the rejecting of claims 32-38 should be withdrawn.

Claims 28-30 were rejected under section 102 as being anticipated by Akira. The Akira reference was not included with the Office Action. Nevertheless, an English language abstract of Akira was procured, a courtesy copy of which is enclosed.

Claim 28 calls for transmitting a video transmission together with a coded command to begin recording of the video transmission. Claim 30 calls for inserting within a video transmission a command to begin recording the video transmission. Pursuant to the English-language abstract, a start control signal is transmitted and received immediately before the next program is started. Thus, the control signal is not inserted within or together with a video transmission. As such, it is respectfully requested that the rejections be withdrawn.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,



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